

# Exhibit 374

## PART 23

*United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.*  
*v. Dey, Inc., et al.*, Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support  
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

"We have in our political system a Government of the United States and a government of each of the several States. Each one of these governments is distinct from the others, and each has citizens of its own who owe it allegiance, and whose rights, within its jurisdiction, it must protect. The same person may be at the same time a citizen of the United States and a Citizen of a State, but his rights of citizenship under one of these governments will be different from those he has under the other." "Slaughter House Cases United States v. Cruikshank, 92 U.S. 542 (1875)."

**THE UNITED STATES GOVERNMENT IS A FOREIGN CORPORATION WITH RESPECT TO A STATE.**" [emphasis added] Volume 20; Corpus Juris Sec; § 1785: NY re: Merriam 36 N.E. 505 144] S.Ct. 1973, 41 L.Ed. 287.

This is further confirmed by the following quote from the Internal Revenue Service:

Federal jurisdiction "includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa." – Internal Revenue Code Section

In legal terminology, the work" includes, "means" is limited to."

When referring to this "District" United States, the Internal Revenue Code uses the term "WITHIN" the United States. When referring to the several States, the Internal Revenue Code uses the term "WITHOUT" the United States.

Dozens, perhaps hundreds, of court cases prove that federal jurisdiction is limited to the few federal territory areas above indicated. For example, in two Supreme Court cases, it was decided:

"The laws of Congress in respect to those matters do not extend into the territorial limits of the states, but have force only in the District of Columbia, and other places that are within the exclusive jurisdiction of the national government," Caba v. United States, 1 52 U.S., at 21 5.

"We think a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction, or right of soil in and to the territory, of which Alabama or any of the new States were formed."

"Because, the United States have no constitutional capacity to exercise municipal jurisdiction, sovereignty, eminent domain, within the limits of a State or elsewhere, except in the cases in which it is expressly granted..."

"Alabama is therefore entitled to the sovereignty and jurisdiction over all the territory within her limits, subject to the common law," Pollard v. Hagan, 44 U.S. 221, 223 228.229.

Like wise, Title 18 of the United States Code at § 7 specifies that the "territorial jurisdiction" of the United States extends only outside the boundaries of lands belonging to any of the several States.

Therefore, in addition to the fact that no unrevealed federal contract can obligate me to perform in any manner without my fully informed and uncoerced consent, likewise, no federal statutes or regulations apply to me or have any jurisdiction over me. I hereby affirm that I do not reside or work

in any federal territory of the "District" United States, and that therefore no U.S. federal government statutes or regulations have any authority over me,

# **POWERS AND CONTRACTUAL OBLIGATIONS OF UNITED STATES AND STATE GOVERNMENT OFFICIALS**

All United States and State government officials are hereby put on notice that I expect them to have recorded valid Oaths of Office in accordance with the U.S. Constitution, Article VI:

**"The Senators and Representatives before mentioned. And the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution..."**

I understand that by their Oaths of Office all U.S. and State government officials are contractually bound by the U.S. Constitution as formulated by its framers, and not as "interpreted," subverted, or corrupted by the U.S. Supreme Court or other courts.

According to the Ninth Amendment to the U.S. Constitution

**"The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."**

And the Tenth Amendment to the U.S. Constitution:

**"The power not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."**

Thus, the understanding form these Amendments is that the powers of all U.S. and State government officials are limited to those specifically granted by the U.S. Constitution.

I further understand that any laws, statutes, ordinances, regulations, rules, and procedures contrary to the U.S. Constitution, as written by its framers, are null and void, as expressed in the Sixteenth American Jurisprudence Second Edition, *Section 177*:

**"The general misconception is that any statute passed by legislators bearing the appearance of law constitutes the law of the land. The U.S. Constitution is the supreme law of the land, and any statute, to be valid, must be in agreement. It is impossible for both the Constitution and a law violating it to be valid; one must prevail. This is succinctly stated as follows:**

**"The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute leaves the question that it purports to settle just as it would be had the statute not been enacted."**

"Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers not right, created no office, bestows not power or authority on anyone, affords no protection, and justices no acts performed under it..."

"Avoid act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing valid law. Indeed, insofar as a statute runs counter to the fundamental law of the land, it is superseded thereby." "No one is bound to obey an unconstitutional law and no courts are bound to enforce it." [emphasis added])

and as expressed once again in the U.S. Constitution, *Article VI*:

**"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."**

All U.S. and State Government officials are therefore hereby put on notice that any violations of their contractual obligations to act in accordance with their U.S. Constitution, may result in prosecution to the full extent of the law, as well as the application of all available legal remedies to recover damages suffered by any parties damaged by any actions of U.S. and State government officials in violation of the U.S. Constitution.

#### REVOCATION OF POWER OF ATTORNEY

Furthermore, I hereby revoke, rescind, and make void *ab initio*, all powers of attorney, in fact or otherwise, implied in law or otherwise, signed either by me or anyone else, as it pertains to the Social Security number assigned to me, **Michael Todd Ricks-Bey**© as it pertains to my birth certificate, marriage or business license, or any other licenses or certificates issued by any and all government or quasi-government entities, due to the use of various elements of fraud by said agencies to attempt to deprive me of my Sovereignty and /or property.

I hereby waive, cancel, repudiate, and refuse to knowingly accept any alleged "benefit" or gratuity associated with any of the aforementioned licenses, numbers, or certificates. I do hereby revoke and rescind all powers of attorney, in fact or otherwise, signed by me or otherwise, implied in law or otherwise, with or without my consent or knowledge, as it pertains to any and all property, real or personal, corporeal or incorporeal, obtained in the past, present, or future. I am the sole and absolute legal owner and possess allodial title to any and all such property.

**Take Notice** that I also revoke, cancel, and make void *ab initio* all powers of attorney, in fact in presumption, or otherwise, signed either by me or anyone else, claiming to act on my behalf, with or without my consent as such power of attorney pertains to me or anyone property owned by me, by, but not limited to, any and all quasi/colorable, public, governmental entities or corporations on the grounds of constructive fraud, concealment, and nondisclosure of pertinent facts.

I affirm that all of the foregoing is true and correct. I affirm that I am of lawful age and am competent to make this Affidavit. I hereby affix my own signature to all of the affirmations in this entire document with explicit reservation of all my unalienable rights and my specific common law right not to be bound by any contract or obligation which I have not entered into knowingly, willingly, voluntarily, and without misrepresentation, duress, or coercion.

**IT IS FURTHER HEREBY NOTICE** as to the claim of Municipal Immunity form liability from tort against a human being, I rely upon:

**"A sort of transcendentalism which enveloped both the courts and the profession in a mist growing out of the airy nothingness of the subject matter, enabled municipal, corporations, like pestilence which walketh unseen, to do their mischief and escape responsibility." *McCombs v. Town Council of Akron*, 15 Ohio 474, 480 (1846), accord, *Butler v. Jordan*, 92 Ohio St. 3<sup>rd</sup> 354, 363, 750 N.E.2d 554, 563 (2001) (Emphasis added)**

I have never willing or voluntarily entered into any debilitating agreement with the corporate entity doing business as the **COLORADO DEPARTMENT OF CORRECTIONS/CORRECTIONS CORPORATION OF AMERICA**, or any other such entity.

That I have not waived or forfeited any Rights, Liberty Interests, Immunities or Privileges, to the full and complete possession, ownership and occupancy of my private close and its fixtures, to any colorable quasi-corporation.

I hereby revoke, rescind, and make void ab initio, all powers of attorney, in fact or otherwise, implied in law or otherwise, signed either by me or anyone else, as it pertains to any birth certificate, marriage or business license, or any other licenses or certificates issued by any and all government or quasi-government entities, due to the use of various elements of fraud, misrepresentation, silence, undue influence, and duress, by said agencies, to attempt to deprive me of my original Sovereignty and/or lands or property rights.

I herein waive, cancel, repudiate, and refuse to knowingly accept any alleged "benefit" or gratuity associated with any of the aforementioned permits/licenses, numbers, or certificates.

I herein revoke and rescind all powers of attorney, in fact or otherwise, signed by me or otherwise, implied in law or otherwise, with or without my consent or knowledge, as it pertains to any and all land or property, real or personal, corporeal or incorporeal, obtained in the past, present, or future. I am the sole and absolute legal owner and possess allodial right, title and interest to any and all such lands or property.

I herein revoke, cancel, and make void, ab initio, all powers of attorney, in fact, in pais, presumptive, or otherwise, signed either by me or anyone else, claiming to act on my behalf, with or without my consent, as such power of attorney pertains to me or any property owned by me, by, but not limited to, any and all quasi - colorable, public, governmental entities or corporations on the grounds of constructive fraud, misrepresentation, fraud, silence, concealment, undue influence and exploitation.

FURTHER AFFIANT SAITH NOT,

NOTICE TO AGENT IS NOTICE TO PRINCIPAL  
NOTICE TO PRINCIPAL IS NOTICE TO AGENT

Subscribed and sworn, without prejudice, and with all rights reserved, and pursuant to the laws of the United States codified in 28 U.S.C. §1746(1);

I declare under penalty of perjury under the laws of the united States of America that the foregoing Is true and correct.

Executed on this 11<sup>th</sup> day of MARCH 2007.

Without Prejudice UCC 1-308, UCC 1-103.6  
Authorized Represent, Attorney-In-Fact

by Michael T Ricks-Bey

Michael-Todd: Ricks-Bey© Secured Party, Sui Juris  
One of the Sovereign Moorish people, a private man/woman on the land, non-combatant, an American by birth, a child of the Living God, Grantor, Secured Party/Creditor and Principal of which 'Rights' existed long antecedent to the organization of the State and Trustee.



VERIFICATION

Washitaw Nation of Muurs )  
Republic of Oklahoma ) **SS VERIFIED DECLARATION**  
County of Beckham )  
United States of America )

I, Michael Todd Ricks-Bey©, Declaration herein, one of the Private People in the Washitaw Nations of Muurs, De Dugdh Mound Ya and Commonwealth of Virginia Republic, one of The United States, of America, a union of republic states under penalties of perjury under The Laws of The United States of America and of the Virginia Republic, that Declarant is competent to be a witness and that the facts contained herein are true, correct, complete, and not misleading, to the best of Declarant's personal knowledge and belief.

As a Notary Public for said County and State, I do hereby certify that on this 11<sup>th</sup> March, 2007, that Michael Todd Ricks-Bey©, the above mentioned, appeared before me and executed the foregoing. Witness my hand and seal:

Without Prejudice UCC 1-308, UCC 1-103.6  
Authorized Representative, Attorney-In-Fact

by Michael T Ricks-Bey

Michael Todd Ricks-Bey©, Secured Party-Principal in behalf of the  
Debtor, MICHAEL TODD RICKS©, JURISTIC PERSON, ENS (A) 015



Brandy D Seal  
Notary Public  
My Commission Expires: 04/20/11



NOTE: Using a notary on this document or any other document does not constitute an endorsement of the document or the State. The purpose for notary is verification and acknowledgement of signer only and not for entrance into any foreign jurisdiction.

DECLARATION OF ORIGINAL SOVEREIGNTY



**FOR ALL COMMUNIQUE ELSEWHERE**

"Without Prejudice"

Michael-Todd: Ricks-Bey, Secured Party, Authorized Representative,  
 Attorney-In-Fact for MICHAEL TODD RICKS, DEBTOR  
 c/o Cathy Berg  
 c/o 9857 East Natal Avenue  
 Mesa, Arizona, united States of America  
 DMM Reg. Sec. 122.32; Public Law 91-375, Sec. 403

**DECLARATION OF EXPATRIATION/REPATRIATION**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Michael-Todd: Ricks-Bey, a Natural Person, in the name of Our Almighty Omnipotent Creator, by My Independence solemnly Publish and Declare My Right to expatriate absolutely my res in trust to the foreign jurisdiction known as the municipal corporation of the United States, a democracy established 1878, re 20 Stat. 120, Ch. 180, by an act of the Forty First Congress of the United States of America, Session III Ch. 61, 62. This Declaration of Expatriation/Repatriation shall extend to all political subdivisions by and through the municipal corporation of the United States.

I, Michael-Todd: Ricks-Bey, by My Declaration of Expatriation/Repatriation, hereby **DISSOLVE, AB INITIO, NUNC PRO TUNC**, any and all past and present political ties implied by operation of law or otherwise in trust with the municipal corporation of the District of Columbia and or the UNITED STATES. And Affirm absolutely my undying allegiance to the united States of America, circa 1776. I am a [Indigenous Moorish American National and Land Assignee of the Washitaw Nation of Muurs, via The Republic of Virginia Commonwealth. My property is **Not** a commercial piece of property and must **NOT** be classified as such.

I, Michael-Todd: Ricks-Bey, by My Declaration of Expatriation/Repatriation, declare that it is My intent to return **IN TOTO**, to the Original Jurisdiction of the Republic of the united States of America, circa 1776 established by the death of Christ in A.D. 33, endowing mankind with the inherent Liberty under the True Law; the Declaration of Independence of the united States of America A.D. 1776; Articles of Confederation A.D. 1781; The Treaty of Paris A.D. 1783; The Northwest Ordinance Ad 1787; The Moorish Constitution (C.M. Bey- Washington AA222141); MOROCCAN TREATY OF 1787 (National Archives, Washington D.C.) UNIVERSAL DECLARATION OF HUMAN RIGHTS, ARTICLE 15 (UNITED NATIONS); The Constitution of the united States of America as amended A.D. 1791. The Moorish Americans are the Sovereign, Free and Indigenous Inhabitants of Moorish America (land-estate of the Muurs conterminous to the 50 united States of North America and applicable federal territories). In support of the Supreme and Fundamental Law-Standards of all free national beings namely but not limited to, Dred Scott v. F.A. Sanford, 19 How. 393 (U.S. S. Ct. 1856), the Moorish Americans are 'non-resident aliens' [8 Stat. 200, Art. III & VI (1803)] with respect to corporate "United States" and its corresponding possessions, and 'resident aliens' with respect to the Republic-States of the Union wherein they may reside by operation of de jure national international law.

I, Michael-Todd: Ricks-Bey, by My Declaration of Expatriation/Repatriation, declare that I, Michael-Todd: Ricks-Bey®, retain and assert all inherent rights including but not limited to unlimited power to contract, in established commerce as protected and guaranteed by the Constitution of the united States of America and the full Ten (10) Articles of Amendment re "Bill of Rights", to the Constitution of the united States, A.D. 1791, a Republic.

WHEN in the Course of Human Events, it becomes necessary for the Sovereign to dissolve the Political Bonds which have connected him with another, and to assume the Power of the Earth, to the separate and equal station to which the Laws of Nature and God's Nature that entitles him, a decent Respect to the opinions that Mankind requires that the Sovereign should declare the cause which compel him to expatriate.